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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,632	10/23/2003	Eric M. Foster	EN920020004US3	7612
30400	7590	12/15/2004	EXAMINER	
HESLIN ROTHENBERG FARLEY & MESITI P.C. 5 COLUMBIA CIRCLE ALBANY, NY 12203			NOBAHAR, ABDULHAKIM	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,632

Applicant(s)

FOSTER ET AL.

Examiner

Abdulhakim Nobahar

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/23/03</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Cassagnol et al (2002/0129245 A1; hereinafter Cassagnol).

Cassagnol discloses an apparatus for providing a secure processing environment. Cassagnol further discloses an integrated circuit that comprises a cipherer (i.e., a cryptography module) for cryptography operation on information and an authenticator for authenticating decrypted information (see, for example, [0011], [0018] and [0040]).

Claims 1-4, 11-14 and 21

Cassagnol discloses that the cipherer of the integrated circuit uses a first key to decrypt imported information from a memory and uses a second key to encrypt the decrypted information (see, for example, [0025], [0043], [0057] and [0058]). Cassagnol also discloses that the cipherer is implemented by a dedicated hardware in the

integrated system (see, for example, [0048] and Fig. 3). Cassagnol further discloses a processor that enforces a control mechanism on the cryptographic operation of the cipherer (corresponding to the recited data access control function) included in the integrated system to prevent unauthorized access to the encryption key material (see, for example, [0008], [0046], [0063] and [0064]).

Claims 5 and 15

Cassagnol discloses a control means that performs a predefined function (corresponding to the recited decryption using the first key set and re-encryption using the second key set) when a predetermined condition occurs (corresponding to the recited modification of the access table to indicate encryption and re-encryption operation of data) by accessing stored data (corresponding to the recited table) in the non-volatile memory (see, for example, [0064] and [0065]).

Claims 6, 7, 16 and 17

Cassagnol discloses a mechanism for updating the key material after certain number of application (see, for example, [0110]-[0113]).

Claims 8 and 18

Cassagnol discloses that the encryption key is also stored in encrypted form in an external memory (see, for example, [0017], [0024], [0058] and Fig. 2).

Claims 9 and 19

Cassagnol discloses that the decryption process is performed within the integrated circuit using instructions (see, for example, [0005], [0011], [0024] and [0042]) and the re-encryption of data is performed by the cipherer of the integrated system, which is a hardware component (see, for example, [0048]).

Claims 10 and 20

Cassagnol discloses that the second key that is used for re-encryption operation is generated within the integrated circuit (corresponding to the recited unique to the integrated circuit) (see, for example, [0025]).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Application Publication No. 2002/0184512 A1 to Cardoso et al.

US Patent No. 5,805,706 to Davis.

US Patent No. 6,577,734 B1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 703-305-8074. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdulahkim Nobahar
Examiner
Art Unit 2132 *A.N.*

An

December 7, 2004 _

Gilberto B.
GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100